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3 IN THE UNITED STATES DISTRICT COURT

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7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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RONALD TOMAN,
THERESA TOMAN

No. C 11-04747 WHA

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Plaintiffs,

**ORDER DENYING
MOTION TO RELATE**

v.

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DEPUY ORTHOPAEDICS, INC.,
THOMAS SCHMALZRIED,

Defendants.

Having reviewed the administrative motion to consider whether another case with the same defendants is related to the above-captioned case, this order finds that the cases are not related. Civil Local Rule 3-12(a) explains that actions are related when (1) the "actions concern substantially the same parties, property, transaction or event," and (2) "[i]t appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges."

Relating the new action to the undersigned would in no way avoid a duplication of labor and expense or conflicting results, because the undersigned has done little work in the above-captioned case. The above-captioned case was only assigned to the undersigned for a brief period of time. No substantive order were issued and no substantive motions were made before the parties filed a stipulated motion to remand. For these reasons, the motion to relate is **DENIED**.

IT IS SO ORDERED.

Dated: January 19, 2012.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE